

# MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

September 19, 2019 - 9:30 am to 2:00 pm  
Polk County River Place – Room 2  
2309 Euclid Ave, Des Moines, Iowa  
MEETING MINUTES

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## MHDS COMMISSION MEMBERS PRESENT:

Thomas Bouska	
Thomas Broeker (phone)	Cory Turner (phone)
Dennis Bush	Richard Whitaker
Teresa Daubitz	Russell Wood
Jody Eaton	Lorrie Young
Geoffrey Lauer (phone)	
Shari O'Bannon	
John Parmeter	
Maria Sorensen	

## MHDS COMMISSION MEMBERS ABSENT:

Kathryn Johnson  
Senator Jeff Edler  
Senator Pam Jochum  
Representative Joel Fry  
Representative Scott Ourth

## OTHER ATTENDEES:

Darci Alt	Heart of Iowa Community Services Region
Theresa Armstrong	MHDS, Bureau Chief Community Services & Planning
Kris Bell	Iowa Senate Democrats Caucus Staff
Teresa Bomhoff	Iowa Mental Health Planning & Advisory Council
Catie Cambell	Department of Inspections and Appeals
Marsha Edgington	Woodward Resource Center
Julie Gibbons	Polk County Health Services
John Hedgecoth	Amerigroup
Brandi Kanselaar	ISAC
Julie Maas	MHDS, Community Services & Planning
Flora Schmidt	Iowa Behavioral Health Association
Adrienne Seusy	Legislative Services Agency
Rick Shannon	DD Council
Rick Shults	MHDS, Division Administrator
Tiffany White-Welchen	Iowa Total Care
Derrick Willis	University of Iowa Hospital and Clinics/CDD

## Welcome and Call to Order

John Parmeter called the meeting to order at 9:31 am and led introductions. Quorum was established with ten members present and three participating by phone. No conflicts of interest were identified.

## **Approval of Minutes**

Thomas Bouska made a motion to approve the August 15, 2019 meeting minutes. Russell Wood seconded the motion. The motion passed unanimously.

## **Administrative Rules Regarding Chapter 25, “Disability Services Management” – Theresa Armstrong**

Theresa Armstrong presented the proposed Chapter 25, “Disability Services Management” rules package for the Commission to vote on approving it for notice in the Iowa Administrative Bulletin. Theresa said this rule package was a result of HF690 which required DHS to develop rules related to the development of the children’s system including service definitions, access standards, and regional governance. Theresa thanked the members of the Commission who participated in the Commission’s committee that met three times to review the rules. The committee also included several Regional CEOs. The Department is also required to consult with the Children’s Behavioral Health System State Board with any rules related to the children’s system. The proposed rules package was presented to the Children’s Board and the feedback from the Board was brought back to the Commission rules committee to discuss. Theresa said that in looking at the rules package keep in mind that new content is underlined and content being removed is crossed out. Theresa said once the package is posted in the Administrative Rules Bulletin to use that document for comments not the document being presented today.

Theresa said the changes in the rules included revising the preamble to include children with a serious emotional disorder, added definitions related to new terminology related to children’s services, eligibility for individuals the regions are responsible to services, clarifications for what is applicable for children, adults, and individuals, and new core children’s services the regions are required to develop access to and fund for eligible children.

There was discussion on the definition of the term serious emotional disturbance (SED) and concern that it did not include autism, intellectual disability, or ADHD. There was discussion on where those children are served and why they aren’t under the new children’s board. Rick Shults said that the term SED is only used in determining who the region is financially responsible to pay for and it not used to limit anything else in the rule. The term SED was in the law and those who passed the law understood what it meant. Rick said that even with regional responsibility it doesn’t apply to crisis services and the Children’s Board is looking at behavioral health services for all children.

Theresa reviewed the changes in the regional governance structure which include new nonvoting members representing child and adult service providers and new voting members of an adult using services or a family member of an adult using services, representative of the education system, and parent of a child in or has been in services on the regional governance board. The regions are also required to create a children’s advisory committee and the law was prescriptive on the membership of that committee. The regions are also required to have a statewide cost share method so the regions use the same method for determining eligibility. The rule package also removes sections of the chapter that are obsolete such as Medicaid offset and exception to joining into a region.

There was discussion on the documents the rules committee receives and the document the Commission receives. The Commission receives the document that is most like what will be published in the Administrative Rules Bulletin and DHS follows the same format as all state agencies for publishing rule packages. There was discussion on the Children’s Board received the same document that the committee used for working through the rules package. There was

discussion on how most of the changes to the rules directly reflect the statute the legislature passed and rules are made to follow the law.

Russell Wood made a motion to approve the proposed rules package for public notice in the Iowa Administrative Bulletin. Richard Whitaker seconded the motion. The motion to approve the proposed rules package for public notice in the Iowa Administrative Bulletin passed unanimously.

### **Discussion on Managed Care Executive Summary**

The Commission reviewed the draft managed care executive summary and discussed adding more oversight during times of transition, and delays in the credentialing of service providers as concerns that have been discussed over the last year.

Tom Bouska made a motion to approve the managed care executive summary with changes and Dennis Bush seconded the motion. The motion to approve the managed care executive summary with changes passed unanimously.

### **Update on Children's Behavioral Health System State Board – John Parmeter**

John said the Children's Board met on August 27<sup>th</sup> and the law changed the composition of the Board. John said a portion of the meeting was spent bringing the new members up to date on the work from the previous Board and having the various committees present on the work they have been doing since the last Board meeting. John said one of the committees was on workforce and they are looking at the different skills sets that are needed for working with children and how to address low Medicaid rates which impacts workforce.

John said the Board also received a presentation on the Universal Screening Panel report. John said a facilitator came in to facilitate the panel discussions and develop a report with recommendations for developing universal screening in Iowa. John said the panel completed their work and a final copy of the report will be sent to the Children's Board.

John said the educator training committee presented on the AEA training for mental health training and how that will most likely wait until next year since the training calendars were already finalized prior to the legislation passing.

John said the metrics and outcomes committee met once and gave the Board a summary of their thoughts and more discussion is needed on the topic.

John said the next Children's Board meeting is scheduled for November 5<sup>th</sup> and they hope to have another meeting before session to develop concrete recommendations for the legislature.

There was discussion on the importance of building mid-level intensity services in Iowa and having a full array of services. There was discussion on the importance of including families in the child's treatment and the importance of finding different ways to engage parents. There was discussion about how the legislature did not act on all of the Board's recommendations and funding is still a concern.

### **MHDS Update – Theresa Armstrong**

Theresa Armstrong said that a new DHS Director was appointed. Theresa said that Kelly Kennedy Garcia is the new director and she comes from Texas and will start November 1<sup>st</sup>. Theresa said that Rick has been able to talk with Kelly and share with her information on MHDS projects. Theresa said that Kelly will be invited to come to the Commission.

Theresa said that DHS submitted their SFY21 budget to the DHS Council and it was approved to present to the Governor for consideration for her budget. The budget is 7.3 billion including all state and federal dollars. DHS included an increase for the ACT reimbursement bringing it to the lower range of what DHS had recommended in their legislative report and the LSA fiscal numbers for children's services and complex service needs for those who are Medicaid eligible.

Theresa said that Medicaid has moved forward with administrative rules to use the Mayo-Portland assessment for the Brain Injury Waiver.

Theresa said that IDPH and DHS are still working on Your Life Iowa and are meeting regularly with Foundation 2 and regional CEOs on transitioning the regional crisis lines over to Your Life Iowa.

### **State Resource Center Barriers Report**

Marsha Edgington spoke about the State Resource Center's (SRC) annual barrier report, which identifies reasons why individuals living in Iowa's two SRCs have not moved into their communities. She said the information in this report is current as of the end of 2018, and she can provide more up-to-date information if needed.

Marsha presented the Barrier Report.

There was discussion on using the regional map in the barriers report and tying where people want to go when discharged back to the region. There was discussion about the regions working with the Resource Center when a person is looking at discharge.

### **Public Comment**

Teresa Bomhoff asked with the reimbursement rates for Intensive Residential Services will be determined. Theresa Armstrong said the Medicaid rate is the highest tier and regions will be working with providers. Rick Shults said that there should not be anyone waiting on a rate before beginning the development of the service and there may be talk about something new and different in the future but there shouldn't be any waiting for a rate right now.

### **Administrative Rules for Licensed Master Social Workers – Representative Mark Smith**

Representative Mark Smith introduced himself and thanked the Commission for allowing him to present to them. Representative Smith said that he believes DHS has incorrectly interpreted the Code of Iowa in setting the Medicaid billing requirements for individuals with their LMSW. Representative Smith said that he is working with both IDPH and DHS on the issue and believes that the first draft of their proposed changes do not fix the problem. Representative Smith explained the different levels of social work licensure and that there are some individuals who are content to practice at the LMSW level without working towards their independent licensure. Representative Smith said it is that group of practitioners he is concerned about and believes that the law did not intend for that level of practitioner to have to be supervised by an independent social worker in order to bill insurance. Representative Smith said the current Medicaid requirement is a hindrance to agencies being able to bill Medicaid. Representative Smith said LMSWs must practice in an agency and agencies must follow accreditation or licensure requirements which include adequate supervision.

There was discussion on the requirements for supervision are for accreditation or licensure.

There was discussion on the role of the Commission in the discussion and how it could be included in their legislative priorities. The Commission asked for more information on the topic and to continue the discussion at the next meeting since it is not an action item.

### **Regional Dashboard Quarterly Update – Rose Kim**

Rose Kim from MHDS thanked the Commission for inviting her to present on the 4<sup>th</sup> quarter of regional data. Rose said the regions submit their data on a quarterly basis and the information is self-reported by the regions who have their way of verifying they meet the access standards. Rose presented the dashboards.

There was discussion on how the access standards are developed and if they make sense for all services. There was discussion on how the dashboards are about informing on where the gaps are and engage in further discussion on why there are gaps.

The Commission broke for committee work at 1:56 pm to discuss their legislative priorities and reconvened at 2:25 pm.

### **Planning for Future Meetings**

John Parmeter said that he set up a presentation with Darci Alt and ISAC to go over their data system. The Commission requested further discussion on the licensed master social work administrative rules, barrier report for the mental health institutes, and Iowa Total Care to present on how they feel the transition is going.

### **Public Comment**

Teresa Bomhoff asked if the ISAC data system presentation could be during the joint Commission and Planning Council meeting. The afternoon is already filled with discussion on legislative priorities and a presentation on the Zero Suicide Grant.

The meeting adjourned at 2:38 pm.

Minutes respectfully submitted by Julie Maas.